



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FILED
6-16-16
04:59 PM

Affordable Taxi,

Complainant,

vs.

CONSUMER CELLULAR, INCORPORATED
(U4328C),

Defendant.

(ECP)

Case No. (C) 16-05-011

(Filed May 17, 2016)

ANSWER

Defendant denies all allegations set forth in Paragraph F of Complainant's Complaint.

DEFENSE

The Complainant started service on 12/5/2015 and canceled service with the Defendant on 12/11/2015 by porting the number to another carrier.

1. The Complainant signed up for a service plan that included 250 voice minutes for \$15.00 per month. The Complainant also signed up for a Connect Plan that included 1.5 gigabytes of data and unlimited text for texting messages. The connect plan was an additional \$20.00 per month.

2. On 12/09/2015 the Defendant notified the Complainant they were going to exceed the 1.5 gigabytes of data based on the 858 megabytes of data used since starting service on 12/5/2015 via text message, asking the Complainant to contact the Defendant within 24 hours.

3. On 12/10/2015 approximately 24 hours after the Defendant sent the text message warning to the Complainant the Defendants system's suspended the Complainants service due to

suspected fraudulent activity on the Complainant's phone service.

4. On 12/10/2015 the Complainant contacted the Defendants customer's service and said no data was used. The Defendant agreed to shut off the data since the usage was still within the plan limits so the Complainant would not have a bill in excess of the original plan and reinstate the service. The Complainant did deny the usage of data at this time. The Defendant pointed out the data was used and offered the Complainant the opportunity to go on line and see the detail of usage used.

5. On 12/10/2015 the Complainant accessed the Complainant's own account via the web and changed to a rate plan that was 750 minutes for \$20.00 per month.

6. On 12/11/2015 the Complainant ported service to another carrier. Since the service was canceled and the Defendant bills in arrears and prorates both the usage and access fees this caused overage on the Complainant's invoice. Attachment A

7. On 2/19/2016 after numerous emails explaining the proration, the Defendant agreed to remove the proration from the Complainant's final invoice leaving a balance of \$16.13 if the Complainant would pay the final invoice for services used from 12/5/2015 through 12/11/2015. Attachment B

8. The Complainant did not pay the final invoice for services used and after several notifications the outstanding balance was sent to collection. Since the Complainant did not agree to pay the adjusted amount the entire uncredited balance was forwarded to a third party collections service on 4/19/2016. The un-prorated balance left the Complainant owing the overage and late fees for the service used.

DATED this 16th day of June, 2016.

CONSUMER CELLULAR, INCORPORATED

BY 

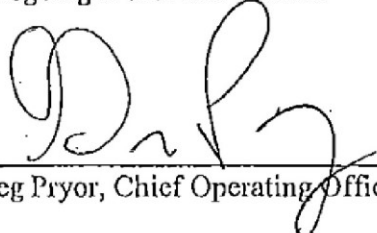
Greg Pryor, Chief Operating Officer
7204 SW Durham Rd., Suite 300
Portland, OR 97224-7574
Telephone: (971) 223-3002

VERIFICATION

I am an officer of the defendant corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 16th day of June, 2016.


Greg Pryor, Chief Operating Officer

Case No. (C). 16-05-011

Answer and Defense, Attachment A

Answer and Defense, Attachment A

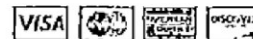
CONSUMER CELLULAR

7204 SW Durham Road
Portland, OR 97224-7574

Account Number 102493814
Due Date 01/05/2016
Total Amount Due \$142.71
Amount Enclosed \$

Please print your Account Number on your check and make payable to Consumer Cellular

We accept the following credit cards for payment:



☐ Check here for change of address (see reverse for details)

MEHDI SARRESHTEDARI
441 E COMMONWEALTH AVE C
FULLERTON CA 92832

CONSUMER CELLULAR
P.O. BOX 7175
PASADENA, CA 91109-7175

000000J121692049 0000000102493814 0000000000014271

Please detach and return above portion with your payment

Invoice Information

Account Number 102493814
Invoice Number J121692049
Bill Close Date 12/14/2015
Due Date 01/05/2016

Summary of Charges

Balance Information	
Previous Balance	\$0.00
Payments	\$0.00
Adjustments	\$0.00
Balance Forward	\$0.00
Usage	
Monthly Charges	\$131.24
Surcharge & Other Charges	\$9.34
Government Taxes & Fees	\$1.30
	\$0.83
Current Charges	\$142.71
Total Amount Due	\$142.71
Payment Due 01/05/2016	

Consumer Cellular

Important Messages



FINAL INVOICE

This account is closed. Thank you for your past business; it is greatly appreciated. There are two things we would like to point out as you review this final invoice:

- ✓ Consumer Cellular bills airtime & monthly fees in arrears - after they have been used. This Invoice is for services used during your final billing period up until the day service was cancelled. Please reference the Monthly Summary section on page 2 to verify the days you are being billed for on this invoice. The Billing End Date is the last day of service.
- ✓ We only bill you for the days you were on service. Therefore, both the monthly service charges & minutes included in your rate plan are prorated. If for example, you were using the service for half the billing period, we would only bill you for half the included minutes for your rate plan before being billed for additional usage.

Again, thank you for your business. We hope to have the opportunity to provide your cellular service again in the future. Please contact us if there is ever anything we can do for you.

Change of Address: Update online at www.ConsumerCellular.com. If using this form, please check the box on reverse side.

Street Address: _____ Apt#: _____
 City: _____ State: _____ Zip: _____

Home Number: _____

Credit Card Payment: Pay securely at www.ConsumerCellular.com or call (888) 345-5510 for no additional fee!

Or enter credit card information here:



☐ Please charge my credit card this time only for: \$ _____

☐ Please use my credit card for all future charges: (Monthly charge may vary depending on usage.)

Card Number: _____ Expiration Date: _____

Card Verification ID#: _____ Signature _____

Adjustments

TYPE	DATE	AMOUNT
Promotional Credit	12/05/2015	-\$20.00
Reverse Promotional Credit	12/11/2015	\$20.00
Total		\$0.00

Consumer Cellular Surcharges & Other Charges

DESCRIPTION	RATE	AMOUNT
Port USF Cellular: Federal	16.70%	\$0.21
FCC Regulatory Fee (Wireless): Federal	flat	\$0.01
Operational Compliance Fee	flat	\$1.08
Total		\$1.30

Government Taxes & Fees

TYPE	RATE	AMOUNT
Universal Lifeline Telephone Svc Charge (Wireless): CA	5.50%	\$0.51
PUC Fee (Wireless): CA	0.18%	\$0.02
CASF (Wireless): CA	0.46%	\$0.04
CA Teleconnect Fund (Wireless): CA	1.08%	\$0.10
CA High Cost Fund A (Wireless): CA	0.35%	\$0.03
Telecommunications Relay Surcharge (Cellular): CA	0.50%	\$0.05
E911 (Wireless): CA	0.75%	\$0.08
Total		\$0.83

Monthly Summary

SERVICE NUMBER (714) 741-0012	BILLING START DATE	BILLING END DATE	RATE	MINUTES / OCCURRENCES	CHARGES
Monthly Charges					
750 Minutes (Prorated)	12/05/2015	12/11/2015			\$4.67
1.5GB / Unlimited Texts (Prorated)	12/05/2015	12/11/2015			\$4.67
Subtotal					\$9.34
Usage					
Free Talk Minutes			0.00	111	\$0.00
Complimentary Talk Minutes			0.00	4	\$0.00
Subtotal Talk Minutes				115	\$0.00
Billed Messages			0.00	1	\$0.00
Subtotal Messaging Charges				1	\$0.00
Free Wireless Web Megabytes			0.000	358	\$0.00
Billed Wireless Web Megabytes			0.250	525	\$131.24
Subtotal Wireless Web Megabytes				883	\$131.24
Total Usage Charges					\$131.24
Total Charges for Service Number (714) 741-0012					\$140.58

Consumer Cellular

Account Name:
MEHDI SARRESHTEDARI

Account Number:
102493814

Bill Close Date:
12/14/2015

Due Date:
01/05/2016

Talk Usage Details

CALL	DATE	TIME	CITY CALLED	NUMBER CALLED	FEATURE	MINUTES	MINUTE CHARGES	OTHER USAGE CHARGES	TOTAL CHARGES
(714) 741-0012 cont'd									
1	12/05/2015	03:58PM	Brea, CA	(714) 989-5013		1			\$0.00
2	12/05/2015	04:00PM	Norwalk, CA	(562) 407-3000		1			\$0.00
3	12/05/2015	04:27PM	Norwalk, CA	(562) 407-3000		1			\$0.00
4	12/05/2015	04:28PM	Incoming	(562) 407-3000		1			\$0.00
5	12/05/2015	05:09PM	Incoming	(562) 407-3000		1			\$0.00
6	12/05/2015	08:57PM	Voice Mail	Voice Mail	Voice Mail Retrieval	4			\$0.00
7	12/05/2015	11:06PM	Anaheim, CA	(714) 678-8915		1			\$0.00
8	12/05/2015	11:07PM	Incoming	(714) 678-8915		1			\$0.00
9	12/06/2015	02:25AM	Incoming	(562) 685-4143		2			\$0.00
10	12/06/2015	08:28AM	Rancho Penas, CA	(858) 837-0625		1			\$0.00
11	12/06/2015	12:16PM	Incoming	(714) 770-2742		2			\$0.00
12	12/06/2015	12:34PM	Incoming	(714) 770-2742		1			\$0.00
13	12/06/2015	05:00PM	Incoming	(714) 715-1624		1			\$0.00
14	12/06/2015	08:40PM	Incoming	(714) 770-2742		1			\$0.00
15	12/07/2015	06:00AM	Incoming	(714) 715-1624		1			\$0.00
16	12/07/2015	11:20AM	Incoming	Numb Blocked	Callor ID Block	2			\$0.00
17	12/07/2015	02:41PM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
18	12/07/2015	04:29PM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
19	12/07/2015	05:47PM	Incoming	(714) 231-1073		1			\$0.00
20	12/07/2015	05:48PM	Incoming	(714) 231-1073		2			\$0.00
21	12/07/2015	07:42PM	Incoming	(714) 231-1073		2			\$0.00
22	12/07/2015	10:08PM	Norwalk, CA	(562) 407-3000		1			\$0.00
23	12/07/2015	11:44PM	Incoming	(201) 449-5032		1			\$0.00
24	12/07/2015	11:49PM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
25	12/07/2015	11:55PM	Incoming	(201) 449-5032		3			\$0.00
26	12/08/2015	05:42AM	Incoming	(714) 715-1624		1			\$0.00
27	12/08/2015	07:56AM	Incoming	(714) 231-1073		1			\$0.00
28	12/08/2015	10:19AM	Incoming	(201) 449-5032		6			\$0.00
29	12/08/2015	10:50AM	Incoming	(562) 205-1750		2			\$0.00
30	12/08/2015	11:30AM	Incoming	(201) 449-5032		3			\$0.00
31	12/08/2015	01:08PM	Incoming	(714) 835-4800		1			\$0.00
32	12/08/2015	02:01PM	Newark, NJ	(201) 449-5032		1			\$0.00
33	12/08/2015	04:31PM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
34	12/08/2015	04:45PM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
35	12/08/2015	08:54PM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
36	12/08/2015	09:37PM	Newark, NJ	(201) 449-5032		1			\$0.00
37	12/08/2015	10:34PM	Incoming	(201) 449-5032		3			\$0.00
38	12/09/2015	07:00AM	Incoming	(714) 715-1624		1			\$0.00
39	12/09/2015	07:26AM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
40	12/09/2015	08:25AM	Newark, NJ	(201) 449-5032		1			\$0.00
41	12/09/2015	08:53AM	Newark, NJ	(201) 449-5032		1			\$0.00
42	12/09/2015	11:58AM	Incoming	(714) 231-1073		1			\$0.00
43	12/09/2015	12:17PM	Anaheim, CA	(714) 231-1073		1			\$0.00
44	12/09/2015	01:48PM	Norwalk, CA	(562) 407-3000	Call Forward	1			\$0.00
45	12/09/2015	02:48PM	Incoming	(714) 231-1073		1			\$0.00
46	12/09/2015	03:06PM	Anaheim, CA	(714) 231-1073		1			\$0.00
47	12/09/2015	04:01PM	Consumer Cell	(503) 890-7363		1			\$0.00
48	12/09/2015	07:33PM	Voice Mail	Voice Mail	Voice Mail Retrieval	1			\$0.00
49	12/09/2015	07:44PM	Incoming	(201) 449-5032		5			\$0.00
50	12/10/2015	07:00AM	Incoming	(714) 715-1624		1			\$0.00
51	12/10/2015	07:19AM	Incoming	(714) 231-1073		2			\$0.00
52	12/10/2015	08:03AM	Incoming	(714) 585-2294		2			\$0.00
53	12/10/2015	08:16AM	Anaheim, CA	(714) 231-1073		1			\$0.00
54	12/10/2015	08:21AM	Anaheim, CA	(714) 231-1073		1			\$0.00
55	12/10/2015	08:22AM	Norwalk, CA	(562) 407-3000	Call Forward	2			\$0.00
56	12/10/2015	08:22AM	Anaheim, CA	(714) 231-1073		1			\$0.00
57	12/10/2015	09:31AM	Newark, NJ	(201) 449-5032		1			\$0.00
58	12/10/2015	10:51AM	Incoming	(201) 449-5032		5			\$0.00
59	12/10/2015	11:53AM	Incoming	(714) 203-4057		1			\$0.00
60	12/10/2015	12:04PM	Incoming	(201) 449-5032		2			\$0.00
61	12/10/2015	12:07PM	Incoming	(201) 449-5032		1			\$0.00
62	12/10/2015	12:15PM	Placencia, GA	(714) 203-4057		1			\$0.00
63	12/10/2015	09:41PM	Consumer Cell	(971) 250-3302		1			\$0.00
64	12/10/2015	10:17PM	Consumer Cell	(971) 250-3302		1			\$0.00
65	12/11/2015	04:50AM	Consumer Cell	(503) 890-7363		1			\$0.00
Subtotal for Talk Usage Charges						115			\$0.00

Consumer Cellular

Account Name:
MEHDI SARRESHTEDARI

Account Number:
102493814

Bill Close Date:
12/14/2015

Due Date:
01/05/2016

Messaging Usage Details

#	DATE	TIME	MESSAGE TO / FROM	MESSAGE TYPE	TOTAL CHRG
(714) 741-0012					
1	12/07/2015	05:04PM	(562) 500-0891 Text	Text	\$0.00
Subtotal Messaging Usage Charges					\$0.00

Wireless Web Usage Details

#	DATE	TIME	MEGABYTES	CHARGES
(714) 741-0012				
1	12/05/2015	12:00PM	22.086	\$0.00
2	12/05/2015	08:00PM	54.282	\$0.00
3	12/06/2015	12:00AM	60.046	\$0.00
4	12/06/2015	06:00AM	19.703	\$0.00
5	12/06/2015	12:00PM	39.302	\$0.00
6	12/06/2015	06:00PM	153.096	\$0.00
7	12/06/2015	06:00PM	30.727	\$7.68
8	12/07/2015	12:00PM	95.650	\$23.91
9	12/07/2015	06:00PM	86.980	\$21.74
10	12/08/2015	08:00AM	3.093	\$0.77
11	12/08/2015	12:00PM	10.290	\$2.67
12	12/08/2015	06:00PM	271.696	\$67.92
13	12/09/2015	12:00AM	1.174	\$0.29
14	12/09/2015	06:00AM	1.758	\$0.44
15	12/09/2015	12:00PM	20.656	\$5.10
16	12/09/2015	06:00PM	2.929	\$0.73
Subtotal Wireless Web Usage Charges			883.338	\$131.24
Total Charges for (714) 741-0012				\$131.24

Case No. (C). 16-05-011

Answer and Defense, Attachment B

Answer and Defense, Attachment B

Consumer Cellular

7204 SW Durham Road
Portland, OR 97224-7574

☐ Check here for change of address (see reverse for details)

Account Number 102493814
Due Date 02/05/2016
Total Amount Due \$16.13
Amount Enclosed \$

Please print your Account Number on your check and make payable to Consumer Cellular

We accept the following credit cards for payment:



MEHDI SARRESHTEDARI
441 E COMMONWEALTH AVE C
FULLERTON CA 92832

CONSUMER CELLULAR
P.O. BOX 7175
PASADENA, CA 91109-7175

000000K011851935 0000000102493814 0000000000001613

Please detach and return above portion with your payment

Invoice Information

Account Number 102493814
Invoice Number K011851935
Bill Close Date 01/14/2016
Due Date 02/05/2016

Summary of Charges

Balance Information
Previous Balance \$142.71
Payments \$0.00
Adjustments -\$126.58
Past Due Balance \$16.13

Usage
Monthly Charges \$0.00
Surcharge & Other Charges \$0.00
Government Taxes & Fees \$0.00

Current Charges
\$0.00

Total Amount Due
\$16.13

Payment Due 02/05/2016

Consumer Cellular

Important Messages



FINAL INVOICE

This account is closed. Thank you for your past business; it is greatly appreciated. There are two things we would like to point out as you review this final invoice:

- ✓ Consumer Cellular bills airtime & monthly fees in arrears ~ after they have been used. This invoice is for services used during your final billing period up until the day service was cancelled. Please reference the Monthly Summary section on page 2 to verify the days you are being billed for on this invoice. The Billing End Date is the last day of service.
- ✓ We only bill you for the days you were on service. Therefore, both the monthly service charges & minutes included in your rate plan are prorated. If for example, you were using the service for half the billing period, we would only bill you for half the included minutes for your rate plan before being billed for additional usage.

Again, thank you for your business. We hope to have the opportunity to provide your cellular service again in the future. Please contact us if there is ever anything we can do for you.



PAST DUE BALANCE!

Your inactive account is currently past due. To avoid a \$10 late charge, please make a credit or debit card payment today, with no processing fees, by calling (888) 345-5510 or go online to www.ConsumerCellular.com/MyAccount.

www.ConsumerCellular.com

(888) 345-5510

Service@ConsumerCellular.com

Mail Payment to: P.O. Box 7175, Pasadena, CA 91109-7175

Change of Address: Update online at www.ConsumerCellular.com. If using this form, please check the box on reverse side.

Street Address: _____ Apt#: _____

City: _____ State: _____ Zip: _____

Home Number: _____

Credit Card Payment: Pay securely at www.ConsumerCellular.com or call (888) 346-5510 for no additional fee!

Or enter credit card information here:



☐ Please charge my credit card this time only for: \$ _____

☐ Please use my credit card for all future charges: (Monthly charge may vary depending on usage.)

Card Number: _____ Expiration Date: _____

Card Verification ID#: _____ Signature _____

Adjustments

TYPE	DATE	AMOUNT
Courtesy Data Rorate Credit	01/08/2010	-\$126.58
Total		-\$126.58